



**California Regional Water Quality Control Board
Central Valley Region**

Karl E. Longley, ScD, P.E., Chair

Linda S. Adams
Secretary for
Environmental
Protection

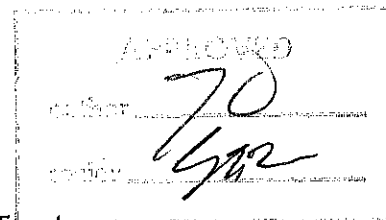
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<http://www.waterboards.ca.gov/centralvalley>



Arnold
Schwarzenegger
Governor

19 March 2009

FILE COPY



Edison Hicks
Integrated Waste General Manager
Department of Utilities, Solid Waste Division
City of Sacramento
2812 Meadowview Road
Sacramento, CA 95832

Douglas Daggs, Trustee
Sylvia Dellar Survivor's Trust
P.O. Box 971
925 North Lake Boulevard, Suite B-301
Tahoe City, CA 96145-0987

DELLAR LANDFILL FINAL CLOSURE PLAN, SACRAMENTO COUNTY.


The Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff has reviewed the 9 March 2009 letter submitted by the City of Sacramento Department of Utilities requesting a second extension for submittal of the Final Closure Plan (FCP) required by Cleanup and Abatement Order (CAO) No. R5-2008-0705. The required FCP was due 15 August 2008. The Dischargers submitted the required 30% Design for Final Site Grading, the Storm Water Pollution Prevention Plan (SWPPP) and Erosion Control Plan (ECP) for the Dellar Trust Property in documents dated 24 November 2008. In a letter dated 23 January 2009, staff proposed a new submittal date of 1 April 2009 for the FCP and all the elements required to complete the FCP in accordance with the CAO.

It is staff's understanding that funding to complete the FCP and 100% design plans for closure is not available and that the City is asking the City Council for additional funding to complete the FCP. Since funding is not available at this time but is actively being pursued, the due date extension is justified. Staff understands that funding is an issue and without it, any project would stall. Based on the above discussion, staff will not recommend enforcement if the FCP is submitted by **12 May 2009**.

The Dischargers are advised that submitting the FCP after the **12 May 2009** due date could trigger enforcement pursuant to the California Water Code (CWC) section 13268, assessing liability of up to \$1,000.00 for each day in which your report was not submitted. Staff would consider the original due date of 15 August 2008 in the CAO for the purposes of calculating the maximum penalty pursuant to CWC section 13268.

Staff requests a meeting with the City of Sacramento and the Dellar Trust to update the Board and provide a schedule of completion of the FCP. Staff would also like to discuss the CAO and the remaining items that require completion. Staff would like to schedule the meeting for the week **20 April 2009**.

If you have any questions please call me at (916) 464-4737.



TODD A. DEL FRATE
Engineering Geologist
Title 27 Compliance & Enforcement

cc: Patrick Palupa, Office of Chief Counsel, State Water Resources Control Board, Sacramento
Frank Davies, California Integrated Waste Management Board, Sacramento
Dawn Owen, California Integrated Waste Management Board, Sacramento
Lisa Todd, Sacramento County Environmental Management Department, Sacramento
Gerald R. Hicks, City Attorney's Office, City of Sacramento, Sacramento
Marty Strauss, Department of Utilities, City of Sacramento, Sacramento
Jeffory J. Scharff, Scharff, Brady, and Vinding Attorney at Law, Sacramento
Arelia De Luna Garcia, Moon Broadcasting Sacramento, LLC, Los Angeles



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California Environmental Protection Agency

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